

Central Intelligence Agency



Washington, D.C. 20505

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6 AUG 1984

Mr. James M. Frey
Assistant Director for
Legislative Reference
Office of Management and Budget
Washington, D.C. 20503

Dear Mr. Frey:

This is in response to your Legislative Referral Memorandum requesting the views of the CIA on a draft State Department bill which would prohibit training or support of terrorist organizations. This draft bill, which would be offered as a substitute for a similar bill, H.R. 5613, sent to Congress last spring, does not adequately take into account the nature and requirements of U.S. intelligence activities. The CIA must, therefore, object to the legislation in its current form.

The CIA finds this proposed legislation objectionable because it does not specifically exclude from its scope lawfully authorized intelligence activities. Such an exception for intelligence activities was, at our request, included in H.R. 5613 prior to that proposed legislation being cleared for transmittal to Congress. Without a specific exception for intelligence activities, the proposed legislation could be interpreted as applying to certain intelligence activities aimed at penetrating terrorist organizations. The Agency could conceivably be required to obtain a license to conduct such activities, and the granting of that license would have to be reported to Congress. The types of intelligence activities for which a license would be required under the legislation would not necessarily correspond with the types of activities that require a Presidential finding and Congressional notification. Thus, without a specific intelligence exception, this proposed legislation could inadvertently require Presidential approval and Congressional notification for a variety of intelligence activities that do not now require such approval or notification.

We appreciate very much the opportunity to review the draft bill and we look forward to working with the Administration to produce a revised bill that will include an intelligence exception.

Sincerely,

/s/Charles A. Briggs

Charles A. Briggs
Director, Office of Legislative Liaison

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